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FOLLOW-UP ACTIONS TO THE RECOMMENDATIONS OF THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT: INTERNATIONAL MIGRATION

Activities of intergovernmental and non-governmental organizations in the area of international migration

Report of the Secretary-General

SUMMARY

The present report was prepared in accordance with the terms of reference of the Commission on Population and Development and its topic-oriented, multi-year work programme, which were endorsed by the Economic and social Council in its resolution 1995/55. The report summarizes information on international migration gathered through correspondence and questionnaires sent to intergovernmental and non-governmental organizations to assess their progress towards achieving the objectives of the Programme of Action of the International Conference on Population and Development. The report also provides a summary of activities undertaken by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United nations High Commissioner for Refugees in collaboration with non-governmental organizations in the search for solutions to the problems of refugees.

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INTRODUCTION

1. The Programme of Action adopted in 1994 by the International Conference on Population and Development recognizes the important contribution of non-governmental organizations to population and development activities at all levels.[1] It also stresses the need for effective partnership between Governments and non-governmental organizations to address the challenges of population and development.

2. The present report on activities of intergovernmental and non-governmental organizations for the implementation of the Programme of Action has been prepared in accordance with the terms of reference of the Commission on Population and Development and its topic-oriented, multi-year work programme, which was endorsed by the Economic and Social Council in its resolution 1955/55. The theme for 1997 is "International migration and development, with special emphasis on the linkages between migration and development, and on gender issues and the family".

3. The information used for the report was gathered through letters and questionnaires sent to intergovernmental and non-governmental organizations. Letters inquiring about activities relating to the implementation of the Programme of Action in the area of international migration were sent to the intergovernmental organizations that were represented at the International Conference on Population and Development. Although several intergovernmental organizations responded to the letters, only four provided information on activities specifically in the area of international migration. Chapter I presents information received from those organizations.

4. A large number of non-governmental organizations attended the International Conference on Population and Development. However, only a few of those accredited to the Conference listed international migration or related fields as an area of interest. In order to expand the coverage of activities, additional lists of non-governmental organizations working on international migration issues were obtained through the International Council of Voluntary Agencies (ICVA), a confederation of voluntary organizations based in Geneva, Switzerland. The information used for the preparation of chapter II was collected through a questionnaire sent to 282 non-governmental organizations in all regions of the world. The organizations that received the questionnaire were also encouraged to copy and distribute the form to others working in the same field. A total of 105 responses was received. Chapter II thus provides a summary of recent activities and concerns of non-governmental organizations working in the area of international migration and describes activities undertaken for the implementation of the Programme of Action.

5. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has, since its establishment in 1950, worked in partnership with non-governmental organizations in providing services for Palestine refugees. Currently UNRWA works with over 50 national or international organizations and some 250 local non-governmental organizations. Chapter III presents a summary of UNRWA's work with non-governmental organizations.

6. The Office of the United Nations High Commissioner for Refugees (UNHCR) and non-governmental organizations have long cooperated in the search for solutions to the problems of human displacement. From its creation in 1951, UNHCR has maintained, as an integral part of its activities, collaboration with non-governmental organizations. With the increasing complexity and size of the refugee problem and the growing needs for assistance, the number of non-governmental organizations working with UNHCR and the diversity of their involvement has also increased. In 1995, some 450 non-governmental organizations worked as implementing partners of UNHCR.[2] Chapter IV, prepared by UNHCR, presents an overview of UNHCR's extensive work with non-governmental organizations.

I. ACTIVITIES OF INTERGOVERNMENTAL ORGANIZATIONS

7. Four of the intergovernmental organizations contacted provided information on activities in the area of international migration: Council of Europe, International Organization for Migration, Islamic Educational, Scientific and Cultural Organization, and Organisation for Economic Cooperation and Development.

A. Council of Europe

8. The Council of Europe, an organization devoted to the promotion of human rights and social justice, has long been concerned with the situation of migrants in its member States.[3] Some of its most important conventions, such as the European Social Charter and the European Convention on the Legal Status of Migrant Workers, contain far-reaching provisions in that area. Moreover, a series of recommendations containing policy guidelines has been adopted over the years by the Committee of Ministers and the Parliamentary Assembly. More recently, work has focused on the integration of immigrants and populations of immigrant origin into host societies and the building of good community relations in multiethnic societies.

9. At their Fifth Conference (Athens, November 1993), the European Ministers responsible for migration affairs requested the European Committee on Migration, which is the main intergovernmental body responsible for migration activities in the Council of Europe, to carry out a review of the implementation of community relations policies in member States. The review was presented to the Ministers responsible for migration affairs at their Sixth Conference (Warsaw, June 1996).

10. The project "Integration of immigrants: towards equal opportunities" sought to promote integration and equal opportunities for migrants and populations of immigrant origin. Practical guidelines in fields such as the immigrants' chances in the labour market, access to housing and social welfare provisions, recognition of the cultural rights of immigrants, etc. were drawn up for the use of Governments and others concerned with integration questions. A final report on the project as a whole was prepared by the Specialist Group on Equality of Opportunities and presented to the above-mentioned Sixth Ministerial Conference, where a new integration project "Tensions and tolerance: building better integrated communities across Europe" was launched.

11. Further activities of the European Committee on Migration concerned, inter alia, temporary migration for employment and training purposes. The Committee adopted a report on the subject, guidelines for the legal protection of short-term migrants, and a commentary thereon. A project on the repatriation of persons in the wake of the political changes in Central and Eastern Europe is still under way.

12. Another project carried out jointly by the European Committee on Migration and the Steering Committee for Equality between Women and Men concerned migration, cultural diversity and equality between women and men.

13. In 1994, the Committee of Ministers decided that the European Committee on Migration and the Ad Hoc Committee of Experts on the Legal Aspects of Territorial Asylum, Refugees and Stateless Persons should hold a joint meeting once a year to exchange views on pan-European migration trends and policies and to make proposals for work to be carried out in that field. Two such meetings took place, in November 1995 and April 1996. It was noted that, since other international bodies were also developing efficient cooperation on frontier control matters and the problem of illegal migration, the bodies of the Council of Europe might concentrate on the broader aspects of migration flows and policies, such as the need to take a comprehensive view of migration phenomena affecting Europe, including consideration of root causes and integration policy, and the definition of principles for orderly migration movements into and within Europe.

14. The Ad Hoc Committee of Experts on the Legal Aspects of Territorial Asylum, Refugees and Stateless Persons is searching for concrete ways to harmonize the rules and practices that are followed in Europe in matters of asylum policy. Its present agenda contains the following items: the concept of "safe third country", from the perspective of third countries; the right of rejected asylum-seekers to appeal; and the return of rejected asylum-seekers.

15. The Council of Europe's work to achieve democratic security and full respect for human rights - in particular, the rights of minorities - and to improve socio-economic conditions in the migrant-producing countries of Central and Eastern Europe can be seen as a major contribution to the elimination of the root causes of migration in Europe.

16. The European Population Committee is responsible for analysing the demographic situation and trends in its member States, including internal and international migration. Every year it publishes a report entitled "Recent demographic developments in Europe" which provides basic statistical data, some of them on migration movements, foreign population and net migration.

17. Under the authority of the European Population Committee, a Mediterranean Conference on Population, Migration and Development was held in 1996 (Palma de Mallorca, 15-17 October). The aim of the Conference was to promote a dialogue between Europe and the States in the south and east of the Mediterranean on such themes as demographic trends and their medium- and long-term consequences; migration flows towards Europe, their root causes, development, and effects on countries of origin and countries of destination; the relationship between

economic development and emigration; and the role and effectiveness of cooperation and partnership.

18. Since 1994, the Parliamentary Assembly of the Council of Europe has adopted a series of recommendations and resolutions concerning migrants, refugees and migration policies on such topics as the right of asylum; cooperation in the Mediterranean basin; the situation of immigrant women in Europe; the humanitarian situation of refugees and displaced persons in Armenia and Azerbaijan; migrants, ethnic minorities and the media; refugees and asylum-seekers in Central and Eastern Europe; the humanitarian situation and needs of the refugees, displaced persons and other vulnerable groups in the countries of the former Yugoslavia; the humanitarian situation and needs of the displaced Iraqi Kurdish population; Europeans living abroad; and the situation of the German ethnic minority in the former Soviet Union.

19. One of the most important tasks of the Congress of Local and Regional Authorities of Europe, a consultative body representing local and regional authorities, is to promote local democracy in the countries of Central and Eastern Europe and trans-frontier and interregional cooperation, thus contributing to democratic security in Europe.

B. International Organization for Migration

20. The International Organization for Migration (IOM) has consistently stressed the relevance and importance of the Programme of Action for cooperative international action to meet current and future migration challenges. The comprehensiveness and quality of the Programme and the broad international consensus it achieved have made it a milestone and point of reference in the migration debate.

21. The objectives and recommendations for action, in chapter X in particular, were consequently taken into account in the strategic planning process of IOM. The overall link between IOM's strategic plan and the Programme of Action is explicitly addressed: the various elements of IOM's mission statement and the nine strategic objectives set out for the Organization are connected to specific paragraphs of the Programme of Action.[4]

22. IOM groups its work into four broad categories of programme activity: humanitarian migration; migration for development; technical cooperation; and migration debate, research and information. Each of these encompasses a variety of IOM programme activities, and each finds its reflection in sections of the Programme of Action.

23. With regard to humanitarian migration, IOM, working with other intergovernmental and international non-governmental organizations and with States, has continued to participate in efforts to assist forcibly displaced populations. Specifically, this has included activities such as moving people to safe havens and providing assistance upon their arrival, arranging for medical treatment abroad for those wounded and unable to obtain it in situ, and facilitating third-country resettlement on either a temporary or permanent basis. Return migration is another important component of IOM's humanitarian

migration efforts. Largely on behalf of unsuccessful asylum-seekers but increasingly on behalf of trafficked migrants and other stranded persons seeking to migrate through irregular channels, IOM is involved in arranging for the voluntary return in safety and dignity of individual migrants who cannot remain at their current location. IOM has complemented its operational activities with efforts to promote dialogue among sending, receiving and transit countries which are faced with the harsh realities and the humanitarian dilemmas of increasing irregular flows of migrants, with a view towards both cooperative solutions and, most importantly, prevention. Finally, family reunion is the third important component of IOM's traditional humanitarian activities regarding migration.

24. For several decades, IOM has carried out programmes predicated on the concept that migration, particularly of the highly skilled, can promote economic and social development. Some of the programmes involved selected immigrants possessing skills in short supply in developing countries. More recently, however, IOM's programme focus has been on the return of developing country nationals who have acquired skills abroad and who could, if they were to return, contribute to national development efforts. Significant programmes of this type are under way in Africa and Latin America, and small pilot efforts are being made in Asia. Alongside these programmes of long-term migration or permanent settlement, IOM has also been exploring new ways to link the skills of expatriate nationals to the development process of their countries of origin through temporary migration programmes and other schemes.

25. Technical cooperation has been growing in the past few years, related largely to the changes in Central and Eastern Europe and their effects on both intra- and interregional migration flows. Focused on building the capacity to develop and implement adequate migration policies, IOM's role has been to provide expert technical advice and training and to arrange for the sharing of experiences and hands-on migration management methods among States and with other international organizations. This is a major component of the joint implementation plan devised by IOM and UNHCR as a follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (CIS Conference on Refugees and Migrants) (Geneva, 30-31 May 1996), and jointly organized by UNHCR, IOM and the Organization for Security and Cooperation in Europe (OSCE).

26. IOM has been encouraging the migration debate at the intergovernmental level, through workshops, seminars and conferences on such issues as trafficking in migrants, respect for the rights and dignity of migrants, migration and the environment and emigration dynamics in developing countries. A four-year research project, supported by UNFPA, is devoted to the study of emigration dynamics in developing countries, which has particular relevance to the Programme of Action. Other recent research has focused on trafficking in women in particular, reflecting the priorities of the Programme of Action and IOM's own increasing emphasis on gender issues related to migration, as reflected in the creation in 1995 of a Working Group on Gender Issues.[5] Information - in particular, the dissemination of information to intending migrants - is an area in which IOM has experimented considerably over the past several years. In response to increasing flows of irregular migrants from Albania and Romania, for example, IOM mounted programmes to answer potential migrants' questions (through

radio call-in shows and publications) and to spread the message about the realities and the risks of irregular migration. In contributing to the prevention of irregular migration, IOM has also stressed the need for receiving States to create immigration programmes which more adequately reflect labour demands currently being met through clandestine migration and to make those programmes known at the time that control measures to deal with irregular migrants are publicized. Lastly, in the information field, IOM has created a migration home page on the World Wide Web (http://www.iom.ch) which is designed to serve both as a primary source of information on migration (legislation, administrative structures, meetings, publications, etc.) and as a link to other migration-related web sites.

27. IOM's mission statement, which is based on the principle that humane and orderly migration benefits migrants and society, encapsulates why the Organization continues to devote considerable effort to furthering the Programme of Action. The four specific action areas laid out in the mission statement - operational assistance, advancement of understanding of the issues, encouragement of social and economic development through migration, and upholding the human dignity and well-being of migrants - permeate the Programme of Action, too, and provide a solid basis for IOM's institutional commitment to moving the international consensus reached at the International Conference on Population and Development towards concrete action.

C. Islamic Educational, Scientific and Cultural Organization

28. The Islamic Educational, Scientific and Cultural Organization (ISESCO) is directly concerned with one consequence of migration - i.e., the formation of Muslim emigrant communities in non-Islamic countries. ISESCO provides support for these communities, to help them preserve their identity and Islamic culture and heritage. Its programmes are geared towards providing Muslim children with information on Islamic culture and life, thus giving them the chance for a balanced understanding of their culture and the culture of the country in which they live, in order to enhance positive participation based on mutual understanding.

29. The activities of ISESCO include providing Islamic cultural centres with reference books and publications; holding training sessions for Arabic language and Islamic education teachers in Islamic schools and centres in non-Islamic countries; awarding scholarships for children of emigrants to pursue their studies in universities all over the world; preparing curricula for teaching Arabic language and Islamic principles to children of Muslim emigrants; and producing audio-visual materials to help link Muslim communities with Islamic thought, culture and civilizations.

D. Organisation for Economic Cooperation and Development

30. The Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD) has long been engaged in monitoring developments in the field of migration. Activities in past years have focused on a review of migration/development linkages and have fed into the debate

taking place both within the Organisation and beyond. More recently, work has been initiated in the field of environmentally induced population movements. The objective of this work is to strengthen the capacity and coherence of donors in dealing with environmental migration, particularly with reference to water, population and other relevant environmental issues. The focal point of this work is the DAC Working Party on Development Assistance and Environment.

31. For several years OECD has been conducting activities in the field of migration and economic development. These activities gained importance on the occasion of the International Conference on Migration (Rome, March 1991) and organized in collaboration with the Italian authorities.[6] That Conference was followed by the Conference on Migration and International Cooperation (Madrid, March 1993), with the support of the Governments of Canada and Spain.[7] Member States were invited to adopt the best strategy for reducing migration - namely to help countries with strong migratory potential to promote conditions for sustainable development and job creation. The Conferences also made clear the need to examine thoroughly the links between free trade, regional economic integration and international migration.

32. Currently, the OECD Secretariat, following the recommendations of the Working Group on Migration, is conducting a research project on migration, free trade and regional economic integration, focusing on three regions. Seminars were held on Central and Eastern Europe (Vienna, 29 February-1 March 1996) and on the Mediterranean Basin (Athens, 31 October-1 November 1996). A third, on Northern America, will be held in Mexico City during the second half of 1997. At the beginning of 1998, an international conference will draw upon the regional analyses and will study the results of the work that OECD is conducting, with support from Japan and in collaboration with the International Labour Organization (ILO), on migration and the labour market in Asia.[8]

II. ACTIVITIES OF NON-GOVERNMENTAL ORGANIZATIONS

33. The Programme of Action affirms the importance of partnership between Governments and non-governmental organizations in the formulation, implementation, monitoring and evaluation of population and development objectives and activities. As was evident at the International Conference on Population and Development (Cairo, 1994), non-governmental organizations are carrying out significant amounts of programming and research in the fields of population and development and are valuable partners with Governments in promoting the Programme of Action. This section assesses the work of non-governmental organizations specifically in the field of international migration and identifies ways in which they are implementing the objectives and recommendations for action of the Programme of Action.

34. The information used in the preparation of this chapter was solicited through a four-page survey form sent in July 1996 to 282 non-governmental organizations in all regions of the world, requesting descriptions of recent activities and concerns of non-governmental organizations working in the field of international migration.

35. The list of non-governmental organizations invited to respond to the survey included, in addition to those known to work explicitly on international migration concerns, those working in related service areas and/or on refugee matters. The addresses were compiled from a list of non-governmental organizations accredited to the International Conference on Population and Development and from lists provided by the International Council of Voluntary Agencies, a confederation of voluntary organizations. Those non-governmental organizations were encouraged to copy and distribute the survey form to others working in the field. Over one dozen unsolicited responses were received. An effort was made to seek responses from both large international, regional and national non-governmental organizations and grass-roots organizations, often very locally based.

36. A total of 105 responses was received (13 from international organizations; 11 from Africa; 34 from Asia; 25 from Europe; 5 from Latin America and the Caribbean; and 9 from Northern America; in addition 8 letters were received without completed questionnaires). Most respondents expanded their basic answers with brief descriptions of their organization's programming. Some enclosed additional documents such as promotional brochures, annual reports, briefing papers etc. Responses of regret were received from five organizations, stating that the survey was not relevant to their work. Most expressed interest in the project, however, and requested copies of the final report. The responses indicate that the invitation to complete the questionnaire was welcomed by many recipients.

37. The type of work carried out by non-governmental organizations working with migrants and on international migration varies substantially among the organizations. However, the work carried out in each region is duplicated to a varying extent in other parts of the world. Therefore, this section provides composite descriptions of the characteristics and programming of the responding non-governmental organizations.

38. The survey not only inquired about the work of the non-governmental organizations but also asked the respondents to identify what they deemed to be the four top priority objectives of those listed in chapter X of the Programme of Action. In addition, respondents were asked: "Are there other issues in work related to international migration that your organization believes Governments, intergovernmental bodies and non-governmental organizations should address?" The responses to both topics are summarized below.

A. Characteristics and programmes of non-governmental organizations concerned with international migration

39. The Programme of Action recognizes that non-governmental organizations are actively involved in the provision of programme and project services in virtually every area of socio-economic development, including the population sector. They are actors in a realm that bridges the gap between the public (i.e., governmental) and the private sectors. In chapter XV (Partnership with the non-governmental sector), paragraph 15.2, the Programme of Action also states that:

> "... non-governmental groups are already rightly recognized for their comparative advantage in relation to government agencies, because of innovative, flexible and responsive programme design and implementation, including grass-roots participation, and because quite often they are rooted in and interact with constituencies that are poorly served and hard to reach through government channels."

40. This certainly is true for non-governmental organizations working in the field of international migration, which provide a place for information exchange, dialogue and cooperation between migrants (documented, undocumented and refugees), citizens, employers and governmental agencies in countries of origin and destination. They were created to serve a broad spectrum of constituencies and address many aspects of international migration; some are initiated by migrants to promote greater self-development and protection; others represent the views, concerns and experiences of particular migrant groups. Non-governmental organizations also exist or have expanded their mandates specifically to provide services, guidance and advocacy to and for migrants and their family members.

41. Direct service from non-governmental organizations to migrants and their family members begins before they depart from their countries of origin. In Asia, for example, many non-governmental organizations have developed information pamphlets about laws, regulations and procedures for migrating to specific countries. They also conduct courses and seminars about the culture, language and laws of the intended host country. In some cases, help is provided to negotiate the terms of employment and secure an employment contract prior to departure. Service may also be rendered while the migrant is out of his or her country of origin - for example, facilitating communication with family members and channelling the remittance of foreign wages. Non-governmental organizations assist migrants and their family members upon their return in the process of reintegration, particularly in the form of skills re-training and psychological, social and vocational counselling.

42. Migrants and their family members have urgent need for help in the near-term after their arrival in the countries of destination. Non-governmental organizations provide a wide variety of services to help orient and settle new arrivals, including temporary housing, interpretation, accompanying individuals to governmental agencies, guidance in seeking employment and permanent housing, orienting family members to public and commercial services such as schools and stores, etc. In the case of refugees and undocumented migrants, legal services and guidance are also provided. Religious and community groups often serve as formal sponsors to refugees, providing resettlement assistance, including housing, temporary financial aid, orientation to the community, advocacy, etc.

43. Many non-governmental organizations provide services to migrants beyond the initial settling-in period. Courses in language and culture continue to familiarize migrants and their family members with the ways of their new neighbours, employers and Governments. In some cases, adjustment to the culture and settling-in may not go smoothly. At such times, non-governmental organizations provide social, psychological and vocational counselling. Support groups are organized to provide contact and encouragement for people from the same country or region, or in similar types of work or situations. Social and

recreational activities are put on to provide companionship and contacts for those who may feel isolated from their surrounding communities. Assistance is often provided for dealing with governmental procedures, most particularly in the form of interpretation but also including reading official correspondence, completing forms and setting up meetings and contacts directly with civil servants and governmental authorities. Many non-governmental organizations also offer legal and medical assistance or referral to such services.

44. A growing number of non-governmental organizations focus specifically on the problems related to trafficking in women and children for sexual exploitation and slavery. In addition to many of the services described above, those organizations provide protection and counselling for women and children who are victims of violence and sexual abuse. Rehabilitation, retraining and reintegration programmes assist the women and children to return to their home countries and communities or to establish new lives in the countries where they currently reside.

45. Certain groups of migrants, particularly migrant workers, have established non-governmental organizations or actively participate in other non-governmental organizations concerned with international migration. The organizations they create provide many of the services listed above. Their unique feature, however, is that they offer organized ways for migrants to express their experiences, needs and concerns in order to increase public awareness and help in ensuring the quality and relevance of programmes and services.

46. Countries of destination and their communities also benefit from the work of non-governmental organizations. Courses and seminars about host-country laws, procedures, practices and languages help migrants and their family members integrate more smoothly. Conversely, awareness-building, information and education projects directed at the host community help citizens welcome and feel at ease with migrants. Tension founded in cultural misunderstanding, racism, religious and linguistic differences, and economic pressure can mount in some localities. Non-governmental organizations, particularly those including local citizens and community leaders, are able to provide mediation and problem-solving mechanisms to avoid the entrenchment or exacerbation of racism and xenophobia. There are also non-governmental organizations of citizens concerned about the impact of migration on their communities and nations which study the phenomenon of immigration and advocate policies and procedures to manage what they believe to be an unwarranted - even unwanted - influx of migrants.

47. Migrants and their family members are particularly vulnerable, both in the process of migration and in the country of destination. Much of the activity described above fosters protection for them, especially in regard to the impact of racism, xenophobia and religious intolerance in the local community. Non-governmental organizations are also active in campaigning for improved national legislation and regulations and for regional and international standards to ensure the rights of migrants and their family members.

48. Several international non-governmental organizations provide an important coordinating function among national affiliates who share information and conduct cooperative programming. Coalitions of non-governmental organizations - international, regional and national - also promote cooperation and dialogue

between countries of origin and countries of destination. These contribute direct service as well as research, education and advocacy programming.

49. Research and documentation are carried out by many non-governmental organizations concerned with international migration. Those involved with extensive direct service often document the cases of the people to whom they provide service in order to develop profiles of migrants. Direct service providers and various research-oriented non-governmental organizations conduct investigations into the root causes of migration, sometimes using individual case documentation as a key source for analysis. Case documentation, research and monitoring of migration patterns are combined by some non-governmental organizations in order to track trends in international migration flows and to serve as the basis for preparing positions for advocacy with intergovernmental bodies and national, regional and local governments.

50. Non-governmental organizations support and promote the implementation of national laws and regional and international conventions and standards. Through training and seminars, they build awareness among both the general public and migrant communities about laws and regulations concerning immigration and emigration. Informed by their knowledge of their constituencies and by their technical expertise, non-governmental organizations are constructive voices in legislative and intergovernmental meetings on policies and programmes concerning international migration. With their combination of international networks and national bases, non-governmental organizations are particularly well positioned to promote the ratification and implementation of international conventions such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Half of the non-governmental organizations responding to the survey indicated that they were actively promoting ratification of the Convention.

B. Implementation of the objectives and recommendations for action in chapter X of the Programme of Action

51. The non-governmental organizations that responded to the survey distributed in preparation of this section stated that their work promotes and implements all the objectives stated in chapter X of the Programme of Action. The programmes mentioned above describe many of the specific applications. No one organization covers all the objectives. However, 61 per cent of the respondents stated that their activities "address the root causes of migration, especially those related to poverty" (Programme of Action, para. 10.2 (a)). Fifty-nine per cent conduct programmes "to ensure protection against racism, ethnocentrism and xenophobia" (paras. 10.10 (c) and 10.16 (d)), while 58 per cent work "to eliminate discriminatory practices against documented migrants, especially women, children and the elderly" (para. 10.10 (b)).

52. Fifty-seven per cent of the respondent organizations work "to encourage more cooperation and dialogue between countries of origin and countries of destination in order to maximize the benefits of migration to those concerned and increase the likelihood that migration has positive consequences for the development of both sending and receiving countries" (para. 10.2 (b)).

53. The "welfare of documented migrants and members of their families" (para. 10.10 (d)) is also promoted by 57 per cent of the respondents. Fifty-six per cent seek "to ensure effective protection of and assistance to refugee populations, with particular attention to the needs and physical security of refugee women and refugee children" (para. 10.22 (c)).

54. Although their programmes span the objectives and recommendations for action of chapter X, the non-governmental organizations that responded to the survey are particularly active in the implementation of four of the objectives of the Programme of Action:

(a) "To ensure the social and economic integration of documented migrants, especially of those who have acquired the right to long-term residence in the country of destination, and their equal treatment before the law" (para. 10.10 (a));

(b) "To ensure protection against racism, ethnocentrism and xenophobia" (paras. 10.10 (c) and 10.16 (d));

(c) "To promote the welfare of documented migrants and members of their families" (para. 10.10 (d)); and

(d) "To prevent all international trafficking in migrants, especially for the purposes of prostitution" (para. 10.16 (c)).

55. Brief descriptions of some of those programmes follow. It is significant that most non-governmental organizations do not distinguish documented from undocumented migrants when they describe the recipients of their services.

56. To ensure social and economic integration and equal treatment before the law, skills training for migrants is provided by the Christian Council of Ghana and the Ecumenical Committee for Uprooted People in Egypt. The Asian Domestic Workers Unions, in Hong Kong, emphasize computer skills training. Legal advice and assistance in applying for residency and work permits is provided by Hungarian Interchurch Aid and by the Society of Citizens Assisting Emigrants, in the Czech Republic. Christian Action, in Hong Kong, offers free legal advice, including negotiations with employers. Counselling, credit and support for organic agriculture is provided by Asociación Regional para Las Migraciones Forzadas, in Costa Rica. Asian Immigrant Women Advocates, in the United States of America, gives training in occupational health and safety, while COSTI Immigrant Services, in Canada, offers English-language training.

57. To ensure protection against racism, ethnocentrism and xenophobia, the Asociación Regional para Las Migraciones Forzadas, in Costa Rica, encourages the acceptance and protection of migrants in that country by conducting campaigns against xenophobia. In the United States, the National Network for Immigrant and Refugee Rights promotes community education and campaigns on immigration, to build public support for migrants. Southern African Churches in Ministry with Uprooted People promotes awareness-building in churches throughout the region about the causes of forced displacement of people and the need for protection and advocacy for them in their host communities. In Switzerland, the Federation of Swiss Protestant Churches has representatives on governmental bodies

concerned with refugees, foreigners and racism. They advocate for the acceptance and protection of refugees and migrants in their country. Information days promoting human rights awareness for lawyers and students are organized by the Legal Information Centre for Human Rights, in Estonia, and related information is disseminated to the general public through the mass media.

58. To promote the welfare of documented migrants and members of their families, counselling and emergency shelter are urgent needs all over the world. Such services are provided by a wide variety of non-governmental organizations, including the Asian Domestic Workers Unions, in Hong Kong; Casa des Amigos, in Japan; Migrante-Europe, in the Netherlands; the Christian Council of Ghana, and the Ecumenical Committee for Uprooted People in Egypt. Caritas-Hong Kong offers counselling and social/recreational activities to help minimize the feeling of loneliness and isolation often experienced by migrants. The Forum on Asian Immigrant Workers, in Japan, publishes a manual in English, Korean and Persian, entitled "Manual for migrant workers" to help migrant workers understand their rights and responsibilities in Japan. In Colombia, the Catholic Bishop's National Secretariat has a section responsible for concerns related to the movement of people. One of its programmes is to train counsellors throughout the country who assist "people on the move" as they attempt to manage the possibilities and consequences of migration. Direct assistance programmes are provided to refugees and migrants by the Middle East Council of Churches.

59. To prevent all international trafficking in migrants, especially for the purposes of prostitution, a number of non-governmental organizations in Asia are dedicated specifically to discouraging trafficking of women for the purposes of prostitution and providing services to the women who become victims of the practice. Tenaganita in Malaysia encourages intercountry actions to protest illegal trafficking of women for the "entertainment" industry. In Japan, the Japan Anti-Prostitution Association runs a shelter to protect women trying to escape prostitution. The Third World Movement Against the Exploitation of Women, in the Philippines, provides an alternative lifestyle and livelihood programme for survivors of sexual exploitation and abuse.

60. The programmes listed above present a sample of the type and extent of programming by non-governmental organizations in the field of international migration. It is notable that the vast majority of programmes mentioned in the survey are very practical in nature: skills training, legal and medical services, provision of emergency shelter and food, language training, interpretation and translation, etc. These programme priorities emerge in direct response to the expressed needs of the constituencies served by the organizations.

C. Priorities of non-governmental organizations

61. The respondents were asked to identify what they considered to be the four most important objectives of those listed in chapter X. Decisively, the highest priority is "to address the root causes of migration, especially those related to poverty" (para. 10.2 (a)).

62. Protection is the next greatest concern, with numerous organizations identifying the need "to ensure protection against racism, ethnocentrism and xenophobia" (paras. 10.10 (c) and 10.16 (d)), "to ensure effective protection of and assistance to refugee populations, with particular attention to the needs and physical security of refugee women and refugee children" (para. 10.22 (c)), and "to eliminate discriminatory practices against documented migrants, especially women, children and the elderly" (para. 10.10 (b)).

63. The third most important objective is promoting the welfare of migrants: "to promote the welfare of migrants and members of their families" (para. 10.10 (c)) and "to encourage more cooperation and dialogue between countries of origin and countries of destination in order to maximize the benefits of migration to those concerned and increase the likelihood that migration has positive consequences for the development of both sending and receiving countries" (para. 10.2 (b)).

64. Respondents identified the need "to address the root causes of undocumented migration" (para. 10.16 (a)) as fourth in order of importance.

65. Seventeen respondents interpreted the question as a request to prioritize the four topics within chapter X. They listed the following topics, in order of priority:

(a) Refugee, asylum-seekers and displaced persons;

(b) International migration and development;

(c) Documented migrants;

(d) Undocumented migrants.

66. The survey extended the question about the objectives of the Programme of Action by asking: "Are there other issues in work related to international migration that your organization believes Governments, intergovernmental and non-governmental should address?" The following suggestions were made on issues that the organizations responding to the survey believed needed further attention.

1. Measures to empower migrants and members of their families

(a) Ensure that migrants and refugees take an active role in devising solutions to the problems they face.

(b) Make migrants aware of the content of international and regional conventions or agreements concerning migration and about the national laws regulating migration. Ensure that migrants and refugees know their rights and obligations in the receiving State.

(c) Place emphasis on providing assistance to refugees and displaced persons so that they may be reunited with their immediate family members.

(d) Document the extent to which laws and regulations regarding migration are enforced by receiving countries.

(e) Provide the necessary medical and social assistance to physically and mentally disabled migrants.

2. Measures to ensure good governance and respect for international law

(a) Promote the ratification and implementation of international conventions relative to migration and refugee movements, especially the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

(b) Ensure a wide dissemination of the texts of relevant international instruments, especially those dealing with protection and humanitarian issues.

(c) Document and raise awareness about the occurrence of human rights abuses against migrants or refugees.

(d) Ensure that no person is denied the right to leave any country (including his or her own) or to return to his or her country of citizenship.

(e) Raise awareness among Governments about the need to defuse situations that may lead to conflict before that conflict starts.

(f) Promote international solidarity and burden-sharing in relation to providing protection and assistance to refugees.

(g) Stress universal respect for human rights.

(h) Encourage a dialogue among migrant communities, Governments and relevant intergovernmental bodies to promote mutual understanding and improve awareness about issues and concerns of migrants.

(i) Provide information to potential migrants regarding the situation in possible countries of destination.

3. Measures relative to migrant women and children

(a) Penalize international trafficking in persons, particularly of women and children for the purposes of prostitution.

(b) Develop appropriate response mechanisms to ensure that refugee women and their children receive adequate protection and assistance.

4. Measures relative to labour migration

(a) Encourage the effective regulation of labour recruiters and other intermediaries who facilitate international migration.

(b) Promote better communication between employers in the country of destination and potential migrants in the country of origin so as to avoid unscrupulous intermediaries who take advantage of the latter.

(c) Work towards the legalization of migrants in an irregular situation who hold jobs in the receiving country.

(d) Facilitate the safe transfer of remittances from migrant workers to their families in countries of origin.

D. Conclusion

67. Non-governmental organizations are experienced and committed partners of governmental and intergovernmental organizations in the implementation of the objectives and recommendations for action of chapter X of the Programme of Action. Their extensive contact with migrant populations positions them well to assess the needs in those communities for service and education. In addition, their standing as service providers and advocates gives them a level of credibility which makes them effective conduits of information about governmental services and national laws and regulations concerning migrants and refugees. Lastly, their knowledge of their members and the recipients of their services makes them valuable advisors to Governments and intergovernmental organizations as they further their programmes and policies concerning documented and undocumented migrants and refugees.

III. UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST: COOPERATION WITH NON-GOVERNMENTAL ORGANIZATIONS

68. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) works closely with non-governmental organizations in providing services to Palestine refugees. The partnership between UNRWA and non-governmental organizations dates back to the establishment of the Agency in 1950. Currently, the Agency works with over 50 national or international non-governmental organizations and some 250 local non-governmental organizations in providing services to 3.3 million Palestine refugees in Jordan, Lebanon, the Syrian Arab Republic, and the West Bank and Gaza Strip. The organizations are generally oriented towards medical, humanitarian, human rights and development issues.

69. The non-governmental organizations have complemented UNRWA's education, health, relief and social services to refugees by pioneering work in assisting people with disabilities and launching community self-help and income-generation programmes. They have given financial aid, assistance in elementary schooling, staff training, and maternal and child health care, and have distributed food and medical supplies. They run pilot projects in new domains and in emergency situations. For its part, UNRWA helps non-governmental organizations by giving direct financial aid or by sharing expertise, technology and information and through joint training workshops. The Agency also participates with

non-governmental organizations in seminars and planning, assists with their fund-raising campaigns and supports the development of community organizations.

70. At the local level, the non-governmental organizations working with UNRWA range from support groups for individual hospitals or centres for the disabled to societies for the physically or mentally handicapped, covering a particular town or area, locally based law centres, women's associations, universities, medical associations and camp or village committees.

71. The national or international non-governmental organizations include refugee councils; institutions representing the interest of children, youth, women, the disabled or the aged; peace funds; religious associations; and groups specializing in technical or economic development.

IV. UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES AND NON-GOVERNMENTAL ORGANIZATIONS: THE SEARCH FOR SOLUTIONS TO DISPLACEMENT

72. The United Nations High Commissioner for Refugees (UNHCR) and non-governmental organizations have long cooperated in the search for solutions to the problems of human displacement. From its creation in 1951, UNHCR has maintained, as an integral part of its activities, collaboration with non-governmental organizations. Article 1 of the Statute of the Office, stating UNHCR's mandate to provide international protection to refugees and to seek permanent solutions to their problem, includes a specific reference to implementation by assisting Governments and, subject to their approval, by private voluntary organizations. Furthermore, Article 8 of the Statute calls on the High Commissioner to provide for the protection of refugees by, inter alia, establishing contacts with non-governmental organizations dealing with refugee questions and facilitating the welfare of refugees. Non-governmental organizations also participated, as observers, submitting oral and written statements, in the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, which on 28 July 1951 adopted the principal international refugee instrument, the 1951 Convention relating to the Status of Refugees. UNHCR is therefore mandated to work with non-governmental organizations in the search for solutions to the problems of refugees.

73. UNHCR's humanitarian character and its non-operational dimension in the early days after its creation meant that non-governmental organizations became important actors in the implementation of assistance projects for refugees and a vital link to them. UNHCR was involved in planning and coordination, while the implementation of the programmes was largely the work of non-governmental organizations.

74. As UNHCR became involved in regions outside Europe, it also developed relations with the nascent movements of non-governmental organizations in those regions, particularly in Africa. Many non-governmental organizations were already engaged in small localized efforts to address displacement problems. Large-scale refugee influxes in Africa marked a new chapter in the working relations between non-governmental organizations and UNHCR and contributed to joint efforts to address the problems of refugees. In Asia, UNHCR sought to

secure material assistance to respond to unprecedented refugee needs. Non-governmental organizations, mostly international, became UNHCR's main implementing partners.

A. The search for a new framework

75. By the 1970s, UNHCR had established a presence in many regions of the world. Its efforts were complemented by partnerships with non-governmental organizations in assistance and protection activities. UNHCR's work with non-governmental organizations varied, according to specific refugee needs, to include the provision of essential relief such as food, shelter, water and health services. Non-governmental organizations were also involved in the resettlement of millions of refugees from countries of first asylum and in the local integration of millions of others. In addition, non-governmental organizations made major contributions to programmes for the voluntary repatriation of refugees and their subsequent reintegration. In the 1980s, Central America provided an example of involvement with non-governmental organizations, not only in repatriation programmes but also in those aimed at the reintegration of returnees. Non-governmental organizations played a key role in the International Conference on Central American Refugees (CIREFCA) and its follow-up.

76. The end of the Cold War marked the beginning of a new era involving greater and more complex kinds of forced displacement. In the search for a renewed framework to better address and find solutions for the new challenges, UNHCR has been closely engaged in collaboration with non-governmental organizations.

77. In 1990, UNHCR and the International Council of Voluntary Agencies (ICVA), a confederation of voluntary organizations engaged in worldwide developmental, social and humanitarian action, initiated a series of consultations, involving a small number of non-governmental organizations and some 20 UNHCR field offices, on the basic elements of partnership. The involvement of local non-governmental organizations as operational partners and as voices of advocacy for refugees and internally displaced persons had grown in number and importance. That reality was recognized in a reference document on the relationship of UNHCR and non-governmental organizations. Shortly after publication of the document, in 1992, proposals and suggestions for improvements began to emerge. Coincidentally, the major criticism was the limited scope of the discussions and the lack of local non-governmental organization input in the establishment of the new framework.

78. Comments on the 1992 document led to further discussion within UNHCR, with and among non-governmental organizations. As a result, it was decided to initiate a more comprehensive consultation process, known as Partnership in Action (PARinAC). The process was fuelled by a recognition that the new challenges brought about by forced human displacement necessitated improved working relations between UNHCR and non-governmental organizations. Eventually, partnership arrangements should also include intergovernmental and governmental agencies.

B. The Partnership in Action process

79. UNHCR and ICVA initiated PARinAC worldwide consultations in June 1993. The issues addressed were chosen for their relevance to the problems at hand and included protection, internally displaced persons, emergency preparedness and response, the continuum from relief to rehabilitation to development, and the issue of partnership. Regional meetings were held in Caracas, Kathmandu, Tunis, Bangkok, Addis Ababa and Budapest. Each meeting was attended by an average of 85 non-governmental organizations and produced, based on the realities and needs of the region, a set of regional recommendations. Some 500 non-governmental organizations, mostly local, contributed to the formulation of the recommendations which formed part of the Oslo Declaration and Plan of Action, adopted at the Global NGO and UNHCR PARinAC Conference (Oslo, 6-9 June 1994). The Plan of Action, with its 134 recommendations, seeks to define the agenda for future humanitarian action between UNHCR and non-governmental organizations. It covers the same areas of concern as the Programme of Action of the International Conference on Population and Development with regard to protection of and assistance to refugees, asylum-seekers and displaced persons.

80. Since June 1994, UNHCR and non-governmental organizations have been translating the recommendations of the Oslo Plan of Action into concrete action, taking account of regional specificities. In Central Africa, for example, recommendations related to voluntary repatriation have great relevance in light of the current complexities resulting from the movements of some 2 million refugees. The same may be said for the last remaining large refugee group in Central America, the Guatemalan refugees in the south of Mexico. The recommendations dealing with the plight of internally displaced persons are central to the work of UNHCR and non-governmental organizations in Sri Lanka, where conflict has resulted in hundreds of thousands of persons being displaced within their country. In Mozambique, where UNHCR has concluded one of the largest voluntary repatriation operations, the recommendations on the continuum will help UNHCR and non-governmental organizations to anchor some 1.7 million returnees. The recommendations on emergency preparedness contain valuable tools for contingency planning to address the current exodus of thousands seeking to escape the ongoing violence in Burundi.

81. People forced to flee their homes sometimes become refugees; others remain in their home countries and are characterized as internally displaced; in certain situations refugees and internally displaced are mixed. In the case of Sri Lanka, for example, those returning from exile in India may find themselves in the midst of displacement inside Sri Lanka. Similar situations are currently occurring in Burundi and Rwanda. The PARinAC recommendations, therefore, have wide application depending on the complexity of the problem.

C. Follow-up to and implementation of Partnership in Action

82. As a result of the Oslo Declaration and Plan of Action, the High Commissioner committed UNHCR to implement a wide range of measures which included a review of pertinent UNHCR structures and procedures to facilitate the dialogue with non-governmental organizations. The Office of the NGO Coordinator was established at Headquarters to ensure follow-up to the process and keep the

High Commissioner, her senior management and the Executive Committee informed of its progress.

83. The Office of the NGO Coordinator organizes periodic briefings at Headquarters; it also briefs non-governmental organizations on developments in the intersessional meetings of the Executive Committee and makes available to them all Executive Committee documentation.

84. In UNHCR's Division of International Protection and in each of the five regional bureaux, a senior staff member has been designated as focal point for operational issues relating to non-governmental organizations.

85. The non-governmental organizations that participated in the PARinAC Conference, elected regional focal points responsible for coordination between non-governmental organizations in their respective regions and for ensuring the flow of information between non-governmental organizations. They are also responsible for following up on the recommendations relevant to their region.

86. UNHCR has 258 offices in 118 countries. PARinAC focal points designated by UNHCR and non-governmental organizations at the country level meet regularly on a host of different subjects, ranging from coordination and information exchange to assessment, planning and monitoring of assistance activities for refugees and, where applicable, for returnees and internally displaced persons.

87. UNHCR's Division of International Protection, through its focal point at Headquarters and with the assistance of its senior regional legal advisors, maintains regular contact with non-governmental organizations on issues relating to protection. The Division has, in accordance with the Oslo Plan of Action, undertaken studies on subjects such as safety of third countries, safety zones or safe areas and on the minimum standards that should apply in relation to temporary protection. Joint training sessions on refugee law, mainly in Europe, have become a regular feature. In response to the growing importance of voluntary repatriation as a durable solution to displacement and as called for in the Oslo Plan of Action, UNHCR, with input from non-governmental organizations has issued the Handbook on Voluntary Repatriation, which has been widely disseminated to non-governmental organizations. Additionally, input from non-governmental organizations has been instrumental in the publication of the Handbook on Resettlement, another important protection tool for refugees who cannot return to their countries of origin or integrate locally in their countries of first asylum. Recent consultations with Governments on resettlement criteria and procedures have also included non-governmental organizations, in recognition of their involvement in the reception and integration of resettled refugees.

88. In pursuing recommendations related to cooperative information networks with non-governmental organizations, UNHCR's Centre for Documentation and Research has continued its collaboration with the International Refugee Documentation Network (IRDN), a worldwide network of organizations and institutions, including non-governmental organizations, concerned with refugee and human rights issues. The Centre also continues to coordinate the International Refugee Electronic Network (IRENE), a series of electronic bulletin boards or conferences which provide information on, inter alia,

developments in various countries, to assist in the monitoring of potential flows of refugees and internally displaced persons.

89. This delivery of assistance, as mentioned above, is an integral part of UNHCR's search for solutions to the problems of forced displacement. Non-governmental organizations are among the most important operational partners; together with Governments and intergovernmental organizations, they are responsible for the implementation of UNHCR's annual programmes for refugees, returnees and internally displaced persons. Some 400 non-governmental organizations are implementing assistance measures worth over a quarter of UNHCR's US$ 1.4 billion 1996 budget.

90. In response to the need to implement recommendations aimed at improving relations between UNHCR and non-governmental organizations in this important area, including emergency preparedness and response, technical support, project management and training, UNHCR has undertaken numerous measures. They include the involvement of non-governmental organizations in the Emergency Management Training Programme (EMTP) throughout the world and stand-by arrangements with non-governmental organizations to provide prompt technical services and to publish, after consultation with non-governmental organizations, handbooks on technical subjects such as vocational training and reproductive health. A major undertaking, which also benefited from input from non-governmental organizations, was the Project Management Handbook for UNHCR Implementing Partners. Since 1994, more than 2,000 staff of non-governmental organizations have benefited from training on all aspects of collaboration between UNHCR and non-governmental organizations throughout the world, including People-oriented Planning (POP) courses aimed at developing local and regional capacity to work on gender issues related to displacement.

91. The majority of those forced into displacement are women and children. In recognition of the need to enhance cooperation between UNHCR and non-governmental organizations in this regard, many of the recommendations in the Oslo Plan of Action referred to women and children. Following extensive consultations with non-governmental organizations during the PARinAC process, UNHCR has discussed and widely disseminated its Guidelines on Preventing and Responding to Sexual Violence against Refugees and Guidelines on Refugee Children.

92. Since the beginning of 1995, UNHCR and ICVA have been organizing regional workshops to review progress in the implementation of the partnership process, identify obstacles and plan further implementation of the recommendations of the Plan of Action, at both the national and regional levels. Workshops, bringing together PARinAC focal points have taken place in Africa, Asia and Central America. Additional ones are planned for the Middle East and the Caucasus.

93. The Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring Countries (Geneva, 30-31 May 1996), convened by UNHCR, the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE), is the most recent example of collaboration with non-governmental organizations to lay out an integrated strategy to respond to the challenges

posed by forced population displacements. Non-governmental organizations, both local and international, will be key actors in the follow-up to and implementation of the Conference's recommendations.

D. Conclusion

94. The number of persons of concern to UNHCR - inter alia, refugees, returnees, and internally displaced persons - was estimated at 26 million at the end of 1995.[9] Because of UNHCR's specific mandate and limited resources, the search for partnerships is very urgent. The relationships between UNHCR and non-governmental organizations, as representatives of civil society, form an essential part of a wider partnership which should include, among others, Governments, other agencies of the United Nations system, and financial and development institutions. It is the combined and coordinated efforts of these various actors - in tune with the populations concerned - which will provide the basis for a comprehensive solution to one of the greatest tragedies affecting our world today.

Notes

[1] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[2] See Directory of Non-Governmental Organizations, (Geneva, UNHCR, 1996).

[3] See Activities of the Council of Europe in the Migration Field (Strasbourg, Council of Europe, 1996).

[4] "IOM strategic planning: toward the twenty-first century", (IOM document MC/1842), May 1995.

[5] "Status report concerning staff and programme policies on gender issues", (IOM document MC/1870), April 1996.

[6] The Changing Course of International Migration, (Paris, OECD, 1993).

[7] Migration and Development: New Partnerships for Cooperation, (Paris, OECD, 1994).

[8] See Migration and the Labour Market in Asia - Prospects to the Year 2000 (Paris, OECD, 1996).

[9] See Populations of Concern to UNHCR: A Statistical Overview 1994 (Geneva, UNHCR, 1995).